



## OPINION

# Let's Extend New Enforcement Process to Benefit Seattle Renters

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The efforts of the Roosevelt and Westwood neighborhoods to rid their communities of eyesores highlight the importance of the proposed amendments to Seattle's Land Use Code to improve enforcement of our nuisance laws.

Those residents who litter their yards with piles of junk and garbage or park abandoned cars in their yards may soon be receiving a citation similar to a speeding ticket. Violators will have a fixed number of days to clean up their mess and receive a reduced penalty.

If violations continue, the fines will increase. The amendments are backed up with increases in the 1999-2000 budget to provide more inspection and compliance staff for the city's Department of Design, Construction and Land Use (DCLU).

As we make the amendments to the Land Use Code to protect the health, welfare and public safety of our neighborhoods, we should also take this opportunity to protect the welfare of the majority of Seattle residents (52 percent) who are renters.

We can do that by extending the citation process to the Housing Code.

The extension sends the message that City Hall supports the public safety of homeowners and renters by trying to rid neighborhoods of eyesores and unsafe or substandard housing.

Seattle once had a Rental Housing Inspection Program (RHIP) that inspected Seattle's worst rental housing, much of it plagued with health and safety violations. Supporters argued that restaurants, the places we pay to eat, are inspected, so the places we pay to live in should be inspected, as well. In opposition to RHIP, some property owners refused to give city inspectors access to their buildings.

Without access, the city couldn't use the fee that was collected to administer the RHIP program. Landlords who thought the program was an intrusion in their business sued the city for collecting the fee. The city settled the lawsuit and agreed not to have another proactive inspection program until 2002 and instead continued its complaint-based enforcement program. The complaint-based housing code enforcement program has been as ineffective in treating housing violations as the Land Use Code has been in getting rid of eyesores.

Much of Seattle's most dangerous rental housing actually generates no complaints.

You may ask why a renter would agree to pay for and live in dangerous housing and not demand that conditions be improved.

Many renters living in dangerous conditions don't complain. They either don't believe that the "system" will force their landlord to correct the problem, or they don't complain because they are afraid their landlord will raise their rent or evict them.

Even though retaliation is illegal under state law and city ordinance, it is difficult to police and to enforce. There is no one a renter can call to stop a landlord from retaliating. Retaliation is a defense in eviction court, a defense that tenants would most likely use only if they can afford an attorney or are lucky enough to qualify for legal services.

Consequently, many tenants would rather not complain than risk retaliation or eviction. They are often people who cannot "shop with their feet" because of low income, poor credit history or the dearth of affordable apartments on the market. Homelessness in families with children grows daily in Seattle; indeed it is the fastest growing segment of the homeless population in our city. When faced with the choice between risking the roof over their children's head or putting up with substandard housing, many parents choose the latter.

Despite obstacles of retaliation and slow housing-code enforcement, some tenants still call DCLU for help. Renters who have the courage to complain about their living conditions and the tenacity to suffer the bureaucracy of code enforcement deserve Seattle's support every bit as much as homeowners who are tired of neighborhood eyesores.

The most serious Housing Code violations have been classified by DCLU as "hazardous." They pose an imminent and major threat to a tenant's health or safety. Other violations, while they are important, still are considered "significant" or "minor."

Just as citations would be used to enforce only the most serious Land Use Code violations, likewise we recommend the use of citations for the enforcement of serious violations of the Housing Code.

Serious Housing Code violations include "hazardous" violations, as well as instances where a renter has been unlawfully locked out of his or her home or had his or her utilities unlawfully shut off.

Substandard living conditions present health and safety risks. For children, those risks are greater. Children are more likely than adults to hurt themselves when surrounded by hazards in the home. Health Board statistics report increased illness in children living in substandard housing.

Since more than half of all housing in the city are rentals, the city's ability to increase housing code and land use code enforcement will provide more effective code enforcement and ultimately result in safer, cleaner residential neighborhoods. Isn't that what everyone wants?